

Region 1

Hot Topics

Region 1 Staff Hosts MS4 Training

On March 21, Region 1 staff trained 162 participants, via webinar, on how to develop a Stormwater Management Program (SWMP). SWMPs are a key requirement of the 2016 Small MS4 General Permit in Massachusetts and the 2017 Small MS4 General Permit in New Hampshire and must be prepared by July 1, 2019. Attendees included representatives from municipalities, planning commissions, stormwater coalitions, consultants, and other groups. More than 95% of the participants reported learning information that would help them comply with the permit requirements.

DERA School Bus Rebate Program Provides Money to New England School Districts

Region 1 sent selection letters for the 2018 Diesel Emissions Reduction Act (DERA) School Bus Rebate Program to recipients in New England on March 19. Five school systems have been selected: Cranston, Rhode Island Public Schools received \$180,000; Glastonbury, Connecticut Board of Education received \$100,000; and Maine School Administrative Districts received \$100,000.

Region 1 Reviews ~\$100M Cleanup Contract at Raymark Industries, Inc. Site

As part of a March 26 Community Advisory Group meeting, Region 1 reviewed the start of on-site construction activities at the Raymark Industries Site in Stratford, Connecticut. Activities included mobilization of trailers, supplies, and equipment. Construction of a barrier wall is scheduled to commence in May 2019. Regional staff also reviewed the recent award (by the Army Corps of Engineers) of the ~\$100M cleanup contract to Severson Environmental Services. Severson will be responsible for the excavation, transportation, and capping of waste on the Raybestos Memorial Ballfield.

Administrative Order Issued to Liberty Marina, Inc. for CWA Violations

On March 25, Region 1 issued a Clean Water Act compliance order to Liberty Marina of Danvers, MA, requiring the company to comply with the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities. Liberty Marina provides boat hauling and launching, dock and equipment maintenance, boat storage, materials handling, and bottom washing services. Stormwater from the facility discharges into the Crane River, and ultimately into the Danvers River. Specifically, the Order requires Liberty Marina to submit annual reports electronically; conduct quarterly benchmark monitoring; take corrective measures, or provide justification for failing to do so, to address benchmark value exceedances; reevaluate its sampling locations; update its stormwater pollution prevention plan to describe where it is taking each sample; and provide the Region with a progress report one year from the effective date of the order.

Region 1 and New England States Meet on Enforcement and Compliance Assurance

Region 1 and representatives of the New England state environmental agencies and Attorney General offices met on March 20 as part of our ongoing efforts to support coordinated planning and shared accountability for enforcement and compliance issues. Topics included updates on major cases and initiatives, an update from the Region 1 criminal program, presentations on stormwater enforcement, and a discussion of a Clean Air Act 112r pilot that is using assistance and enforcement tools to increase compliance among facilities that use ammonia for refrigeration.

Region 2

Hot Topics

State of New Jersey initiates Enforcement Actions against PFAS Sources

On 3/25 and 3/27 NJ took a series of enforcement actions against companies alleged to be sources of PFAS and other contamination. On 3/25 the NJ Dep't. of Env. Protection (NJDEP) issued a Directive and information request to Solvay, DuPont, DowDuPont, Chemours and 3M requiring that they provide a detailed accounting of their uses, discharges and emissions of PFAS in NJ. The Directive notifies them that NJ will hold them financially responsible for the cost of remediation and treatment of PFAS-related contamination; and it directs Solvay, in particular, to reimburse NJDEP over \$3 million in costs the state has incurred to investigate and address PFAS released into the environment at Solvay's West Deptford facility. The Directive further requires the companies to meet with NJDEP within 30 days to discuss a good faith estimate for future costs to investigate, treat, clean up and remove PFNA, PFOA and PFOS from the environment and discuss the companies' establishment of funding sources for the same. On 3/27 the NJ Attorney General filed four Natural Resource Damage (NRD) lawsuits in state court. Each suit focuses on a different DuPont/Chemours facility: Chambers Works in Pennsville and Carney's Point Township; the Parlin Site in Sayreville Borough; the Repauno Site in Greenwich Township; and the Pompton Lakes Works facility in Pompton Lakes. The complaints relating to the Chambers Works and Parlin facilities center on PFAS contamination; the other two complaints center on VOCs and other types of contamination. Finally, on or about 3/27, NJDEP issued a second Directive, calling on DuPont and Chemours to pay for additional NRD assessment costs linked to pollution from the Pompton Lakes operation, and to pay for any additional sampling, testing and treatment that might be required as a result of the contamination. The Chemours Chambers Works facility and the DuPont Pompton Lakes facility are each the subject of an EPA RCRA corrective action permit and are being addressed jointly by EPA and NJDEP. The other sites referred to above are state-lead sites. In the wake of the 3/25 NJDEP statewide PFAS Directive, Region 2 expects to proceed with issuing a letter to DuPont and Chemours (preferably jointly with NJDEP) requesting that these companies perform receptor evaluations for PFAS/GenX at the Parlin facility (to include sampling of the Perth Amboy municipal wellfield downgradient of the facility), perform additional on-site evaluation of PFAS/GenX at the facility, and provide additional information on use and possible sources of GenX there.

Niagara Falls Storage Site (NFSS) Record of Decision

The U.S. Army Corps of Engineers Buffalo District signed the ROD for the Interim Waste Containment Structure (IWCS) Operable Unit of the NFSS located in Lewiston, NY. The IWCS is a 10-acre structure on the NFSS, which contains uranium ore processing residues. The structure was engineered and built in the early 1980s to inhibit radon gas emissions, infiltration of precipitation, and contaminant migration to groundwater. An analysis of over 30 years of environmental surveillance data from NFSS confirmed the IWCS is performing as designed and will continue to be protective as long as it is maintained properly. The selected remedy involves the excavation, partial treatment, and off-site disposal of the entire contents of the IWCS. The Corps is the lead federal agency for this project, which is being executed under the Formerly Utilized Sites Remedial Action Program (FUSRAP). Region 2 staff have participated in the technical review of this project for many years.

Caribbean Science

The Region 2 Caribbean Science Consortium is holding two meetings, one in Puerto Rico on 3/28 and one in the U.S. Virgin Islands on 3/29. The meetings are being held jointly with the Puerto Rico Science, Technology and Research Trust (PRSTRT). The goal of the meetings is to promote collaboration and support between the Consortium, which has a number of governmental and non-governmental members, and the PRSTRT, to address core environmental research objectives in the Caribbean. Dr. Anahita Williamson (R2 Science Director) is attending.

Upcoming Major Decisions and Events

Public Meetings on Grasse River Dredging Project

Region 2 will hold public informational meetings in Massena, NY and Akwesasne (St. Regis Mohawk Tribe territory) on 4/3 and 4/4 to inform the public about the details of the Superfund dredging project that will start in April in the Grasse River. Chief of Staff Chris Lyon will attend both meetings. The dredging work will be conducted by Arconic, the PRP for the site, which has PCB contamination.

Meeting with NJDEP

On 4/3 RA Pete Lopez and senior staff will meet with NJDEP Commissioner Catherine McCabe and senior staff to discuss a variety of issues of mutual interest.

Region 3

Hot Topics

Demonstrates On-line System for Asbestos Notifications

On March 20, Region 3 and the Office of Mission Support (OMS) at EPA HQ (formerly Office of Environmental Information OEI) provided a demonstration of the Asbestos NESHAP notification on-line system (SNDR) to Regional Asbestos Coordinators on the HQ-hosted monthly Regional Asbestos Coordinators conference call. This on-line system will enable the regulated community to electronically submit their required Asbestos NESHAPs demolition/renovation notification forms and is the result of over a year of collaboration between EPA Region 3, EPA HQ and Region 3 State/local partners. As part of the Agency's e-Permitting effort, this online system will reduce over 10,000 paper notifications annually received by in Region 3 alone as well as improve electronic capability for the regulated community. As a result of the demonstration, at least three other EPA Regions who also accept paper notification forms are now interested in using this system to accept electronic Asbestos Notifications. The project to develop SNDR began at a Kaizen LEAN event conducted with Region 3 States in 2018.

Harkness Point Oil Spill, Philadelphia, Pennsylvania

On March 20, USCG Sector Delaware Bay responded to a spill notification regarding a sheen on the Schuylkill River near PBF Logistics Inc (PBF) in southwest Philadelphia. The discharge is in the USCG Coastal Zone. PBF is a refined oil storage facility where predecessor companies stored and refined oil since sometime before 1940. At the request of the USCG, Region 3 On Scene Coordinators (OSCs) visited the facility on March 21 along with representatives of PBF and the USCG. Philadelphia Energy Solutions (PES), which owns the property immediately south of PBF which includes a 12-foot wide ditch/channel that leads to the Schuylkill River, was also present. The OSCs observed that about $\frac{3}{4}$ of the length of the ditch was covered with a thick black oil that was seeping in from the PBF bank. PBF placed a boom along the mouth of the ditch to prevent oil from flowing into the Schuylkill River with the tides. USCG requested that oversight of the spill be conducted by the EPA OSC. PBF and PES have agreed to maintain the boom and are actively investigating the spill source. The OSC is preparing CWA 311(c) orders to issue to both companies focused on stopping the seepage, preventing a discharge to the river, and cleaning up what has been discharged to the ditch.

Consent Decree entered for Remedial Action and Cost Recovery at the Sharon Steel/ Fairmont Coke Works Site

On March 21, the District Court in the Northern District of West Virginia entered the Consent Decree negotiated by and between the United States, the State of West Virginia (co-plaintiff) and ExxonMobil Corporation (ExxonMobil) at the Sharon Steel/Fairmont Coke Works Site ("Site") located in Marion County, West Virginia. Pursuant to the Consent Decree, which settles a complaint filed on October 26, 2018 pursuant to Sections 106 and 107 of CERCLA, ExxonMobil agreed to implement the selected remedy for the Site. Pursuant to the settlement, ExxonMobil will also pay to EPA \$250,000 in past response costs and pay to EPA and the State all Future Response Costs, not inconsistent with the NCP.

EPA Denies Petition to Withdraw West Virginia's NPDES Program Authorization

On March 14, EPA denied the Appalachian Mountain Advocates' (petitioners) 2009 petition to withdraw West Virginia Department of Environmental Protection's (WVDEP) authorization to administer the National Pollutant Discharge Elimination System (NPDES) program of the Clean Water Act. The petition alleged deficiencies in WVDEP's implementation of the NPDES permitting and enforcement program. In 2015, EPA sent a letter to the petitioners concluding that several of the allegations raised did not warrant initiation of a withdrawal proceeding for the NPDES program. This 2019 letter denies initiating withdrawal proceedings on the two remaining allegations regarding permitting discharges of selenium and enforcement of NPDES mining permits. Although EPA declines to initiate withdrawal proceedings, EPA will continue its state program oversight through ongoing NPDES permit review and periodic enforcement program reviews. In responding to the petition, Region 3 worked closely with multiple offices in EPA HQ, including OECA, OGC and OW.

EPA Approves Virginia's PCBs TMDL for the New River Watershed

On March 12, Region 3 approved Virginia's polychlorinated biphenyls (PCBs) TMDLs for the New River watershed to address nonattainment of the fish consumption designated use due to violations of numeric PCBs criteria and numeric fish tissue threshold values. Virginia employed a novel approach to ensure that the TMDLs are set at levels necessary to achieve the applicable Virginia water quality standards by using bioaccumulation factors to calculate waterbody-specific endpoints, and imposed percent exceedance thresholds. Virginia received numerous comments on this novel approach during its public comment period from AQUALAW on behalf of Pepper's Ferry Regional Wastewater Authority and Town of Christiansburg, Virginia Municipal Stormwater Association (VAMSA), and Virginia Association of Municipal Wastewater Agencies, Inc. (VAMWA). Public comments from VAMSA and VAMWA urged use of a long-term average approach. EPA, however, is comfortable that the comments do not raise issues regarding the adequacy of the TMDLs.

Upcoming Major Decisions and Events

Regional Administrator Cosmo Servidio has the following events scheduled:

April 1- Speaking at the International Conference on Solid Waste Technology and Management, Annapolis, MD.

April 2- Annual HUD Interagency Meeting with Regional Administrators, includes HUD GSA, HHS, and EPA regional administrators. Philadelphia.

Region 4

Hot Topics

Solvay Ethylene Oxide Facility (North Charleston, SC)

On May 20, 2019, Region 4 and the South Carolina Department of Health and Environmental Control (SC DHEC) staff will conduct the follow-up inspection of the process leak equipment area of the Solvay facility. During the initial visit on February 11, 2019, this part of the inspection was cut short due to the company's shutdown of the areas to be inspected.

Drinking Water Quality Sampling in Denmark, SC

On April 1-4, 2019, Region 4 will perform a Priority Review of SC DHEC's public water system supervision program and conduct an oversight inspection of the water system operated by the City of Denmark.

Rockwell International (Grenada, MS)

Region 4 is working with the Office of Congressional and Intergovernmental Relations on a request from Congressman Bennie Thompson's (D-MS; 2nd District) office for a briefing on the site status, to include an overview of the Superfund process.

Mississippi Phosphates Corporation Site (Pascagoula, MS)

The remaining water treatment budget for this site is \$4.4M. Region 4 anticipates needing additional funding for water treatment by late June/early July 2019.

Upcoming Major Events

Miami WIFIA Press Event – On April 5, 2019, Acting Region 4 Administrator Mary Walker plans to attend the WIFIA press event at the Central District Wastewater Treatment Plant.

Upcoming Major Decisions

Extended from March 27, 2019 - Paducah Formal Dispute Resolution for the Site Management Plan Dispute Position

March 29, 2019 – Paducah Formal Dispute Resolution for the C-400 Removal Notification

Region 5

Hot Topics

Mercury Release at Chicago Public Elementary School

EPA is assisting the Chicago public school district with the investigation and cleanup of a mercury release at an elementary school. A barometer containing mercury broke and several students came in contact with the substance. EPA has been coordinating with Chicago Public Schools and the Chicago Department of Public Health. EPA has also visited students' residences to determine whether mercury was accidentally tracked home. The *Chicago Tribune* and *Chicago Sun Times* have written stories. The school will hold an open house with parents on Friday afternoon.

Additional Sampling at Elementary School Near Amphenol Site in Franklin, Ind.

This week, during spring break, the district will be sampling indoor air and Indiana Department of Environmental Management will be conducting sewer sampling. The school was shut down last week after the district reported that subsurface VOC results above IDEM screening levels were found at both schools. EPA has been in frequent communication with IDEM, discussed appropriate next steps with the state, and has offered to provide technical assistance as needed. Community group If It Was Your Child and environmental group Edison Wetlands Association have raised concerns about contamination in Franklin and the number of pediatric cancer cases there.

Bottled Water Being Provided to Residents Whose Tap Water Has Been Affected by Vinyl Chloride from Univar Corrective Action Site in South Bend, Ind.

Options to connect the residents -- migrant workers on a downgradient farm -- to municipal water are being explored. Univar's consultants sampled the tap water and found levels of vinyl chloride at 15.4 ug/L, well above the maximum contaminant level for vinyl chloride of 2 ug/L. Region 5 and the St. Joseph County Health Department were notified on March 12 of the results. Univar is working to connect carbon filters at all potable water lines at the farm. The region is discussing measures to compel Univar to permanently connect the farm's potable water lines to adjacent municipal water line and is coordinating efforts with the St. Joseph County Health Department Health and Univar.

Illinois Dept. of Public Health Expected to Release Cancer Incidence Study for Willowbrook, Ill.

The Illinois Department of Public Health is expected to release its cancer incidence study of the population surrounding the Sterigenics facility in Willowbrook on March 30. The study will examine cancer occurrence data over many years from nearby census tracts and compare them to the county and state numbers. At this time, EPA does not know the findings of the study. To be prepared for the potential outcomes, EPA is drafting multiple versions of a desk statement.

Region 5 Finalizing Rulemaking to Redesignate the Cleveland Area to Attainment of the Fine Particulate Matter NAAQS

On March 26, 2019, the Regional Administrator signed a final action that recognizes that the Cleveland area has attained the National Ambient Air Quality Standard for fine particulate matter (PM_{2.5}). The Cleveland area will be formally designated as attainment upon publication of the recently signed *Federal Register* notice. Cleveland is the last nonattainment area in Region 5 and this action signifies that more than 2.8 million people are breathing cleaner air. EPA's action is based on recent air quality monitoring data that show the Cleveland area now meets the national standard set to protect public health and the environment from harmful exposure to these fine particles.

Great Lakes Action Plan III to be Released for Public Input on April 8

EPA and its federal partners are currently developing Action Plan III, which will outline Great Lakes Restoration Initiative priorities and goals for 2020-2024. EPA sought and received input on priorities for the plan through the course of six public engagement sessions across the Great Lakes basin in summer 2018. We

heard from agriculture, industry, academia, local government, non-profits, metropolitan planning organizations, and the general public and we have consulted with Great Lakes states and tribes.

Region 5 to Public Notice Keweenaw Bay Indian Community Application for Treatment as a State

Next week Region 5 intends to open a public comment period on its proposed approval of the Keweenaw Bay Indian Community application for treatment in a manner similar to a state (TAS) for Clean Water Act 303(c), Water Quality Standards, and 401, Water Quality Certifications. Region 5 received the KBIC Clean Water Act program eligibility application dated May 21, 2013, and resubmitted Oct. 27, 2017, under the EPA Revised Interpretation of the Clean Water Act Tribal Provision. This will be the first TAS application processed in Region 5 under the revised interpretation and the first TAS for CWA 303(c) and 401 in the state of Michigan. Region 5 is also preparing to proposing to grant TAS eligibility to the tribe for two non-regulatory programs under the Clean Air Act. If approved, KBIC would be eligible to apply for CAA grant funds with a reduced matching requirement and be notified of air permitting actions near the reservation boundaries.

Lac Du Flambeau Conveys Concerns with Tower Standard Site Investigation

President Wildcat of the Lac Du Flambeau Tribe and members of the tribe's natural resource department met with the RA and Region 5 staff to discuss tribal concerns with a leaking underground storage tank site on the reservation lands. The tribe is concerned with the limited progress made at the Tower Standard site and are appealing for more Region 5 action to resolve the contaminated soil and groundwater problems. This meeting was the first face-to-face meeting between President Wildcat and RA Stepp and the first EPA/LDF discussion on the Tower Standard LUST site for more than a year. EPA agreed to cooperatively address legal and technical next steps with the tribe's natural resource department and reconvene at a leadership level in 60 days.

Meeting to Discuss Lead in Cicero/Berwyn, Ill. Drinking Water

On March 28, Ixchel (Cicero/Berwyn citizen group), Virginia Tech, Illinois EPA and U.S. EPA met to talk about the results of the citizen group's sampling of lead in drinking water. Cicero and Berwyn get their drinking water from Chicago, which includes orthophosphate for corrosion control. The citizen group asked Virginia Tech for assistance in their sampling effort. Initial results are typical of homes with lead service lines, the first-draw samples are generally below the 15ppb lead action level, but samples of water from the lead service line show higher levels of lead. While these results are expected by scientists who work on lead service line issues, it is unsettling for citizens. Illinois EPA has been working with Chicago on a broad study of their corrosion control treatment including suburban customers to whom the city sells water. Region 5 has been acting as a facilitator for this issue.

Upcoming Major Decisions and Events

RA Stepp and Chief of Staff Thiede to Meet with Senior Leaders from Wisconsin DNR on April 4

The meet and greet with WDNR will take place in Madison, Wisc., and is part of a broader effort by RA Stepp to strengthen state relations. While in Wisconsin, RA Stepp will hold meet-and-greets with Sen. Ron Johnson's and Rep. Bryan Steil's staffs on April 5.

Region 6

Hot Topics

Intercontinental Terminals Company (ITC) LLC, Deer Park, Texas

On March 17, 2019, Intercontinental Terminals Company LLC (ITC) discovered a tank on fire and reported the incident to the National Response Center. Many of the fifteen (15) tanks containing naphtha, gasoline, oil, xylenes, Pygas, and Toluene have been emptied. Levels of benzene in the area continue to decline except for material contained by booms in Tucker Bayou. ITC is considering a request to use foam or other material to help control vapors in this area. This action would require consultation with the Regional Response Team (RRT). ASPECT continues to conduct overflights and surface runs with TCEQ, EPA and Coast Guard are assessing possible impacts of firefighting foam on waterways adjacent to the facility. PFAS concerns have been raised and sampling is being conducted. High Congressional and Media Interest

Denka Performance Elastomers, LaPlace, Louisiana

On March 26, 2019, EPA held a legal call with Denka's outside counsel, along with DuPont and LDEQ, following EPA's onsite visit on March 20. Denka agreed to provide information regarding root causes and plant operations during spikes at the community monitors on a monthly basis. The company plans to respond to EPA's request for information on potential chloroprene emission reduction projects within four weeks. Denka is still planning for a follow-up meeting in the next month to go over all the issues related to on site monitoring and discuss whether it is necessary.

Texas' withdrawal of 4 SIP Revisions, Texas

By April 5, EPA will be acknowledging via correspondence that Texas has withdrawn from our consideration four amendments to their anti-tampering rules, submitted as SIP revisions to EPA prior to 2018. EPA supports the action to withdraw the SIP revisions, as the four amendments are no longer relevant to the Texas SIP.

Upcoming Major Decisions and Events

New Mexico-Albuquerque 2015 Ozone, New Mexico

By April 4, EPA anticipates a proposed approval of the New Mexico and Albuquerque-Bernalillo County infrastructure SIPs for the 2015 ozone NAAQS to meet CAA section 110(a)(1) and (2) requirements, and New Mexico SIP revision for repeal of the New Mexico total suspended particulate standards.

Albuquerque Air Permit SIP, Albuquerque, New Mexico

By April 10, EPA anticipates a proposal approval of the first set of revisions to Albuquerque Air Permit SIP to remove conditional approval and convert conditionally approved air permit rules to full approval based on revision of rules.

Pueblo of Santa Ana TAS Application, New Mexico

By April 25, EPA anticipates final approval of the Santa Ana Pueblo's TAS application under CAA authority for Sections 105, 107(d)(3), 126, and 505(a)(2). The action will authorize the Pueblo to apply for funding under CAA 105 provisions and receive notifications of CAA permit applications. During the public comment period no comments were received.

2008 Ozone Standard Volatile Organic Compound SIP and Reasonably Achievable Control Technology, Houston/Galveston/Brazoria, Texas

By April 26, EPA anticipates final approval of the Texas' 2008 Reasonably Achievable Control Technology (RACT) demonstration for the Houston/Galveston/Brazoria non-attainment area. Adverse comments raised questions on the legality of the state's approach to addressing startup, shut down and malfunction emission events. OGC has asked that final action be delayed until proposed reconsideration of the Texas SSM SIP call is published so the agency's position on these issues can be better articulated.

April 3	RTOC Meeting, Dallas, Texas
April 4	Tribal Summit, Dallas, Texas
April 8	ECOS Meeting, Washington, DC

Region 7

Hot Topics

Nebraska Private Drinking Water Well Flood Response

Region 7 staff supported NDHHS testing of private drinking water wells impacted by flooding. Two ENST staff deployed in our mobile e-Coli lab to three cities in Nebraska March 21-24. Cities served included Freemont, Norfolk, and Verdigré. Samples split between EPA mobile lab and NDHHS fixed lab in Lincoln. 121 samples processed by EPA mobile lab, 46 samples tested positive for e-Coli. 161 samples sent to NDHHS lab in Lincoln. 282 NE family private drinking water wells served.

Region 7 Flood Impacts and Response

EPA is supporting the response to hazardous material release, oil discharge, and water/wastewater impacts due to the extreme flooding events occurring in the midwest. EPA has been activated to state EOCs in Nebraska and Iowa; OSCs and other personnel arrived at those locations on Wednesday, March 27. EPA will be coordinating ESF-3 and ESF-10 activities with state partners and FEMA. Initial assistance will focus on water/wastewater treatment impacts and strategizing for orphan container/household hazardous waste identification.

Viburnum Trend Lead Haul Roads Cleanup

EPA is overseeing the start of cleanup work at the Viburnum Trend Lead Haul Roads site by the Doe Run Company in Iron, Dent, and Reynolds Counties in Missouri. The site is comprised of multiple segments of roads throughout three counties which formerly were frequent routes for lead ore processing. The site includes homes and child high-use areas along the routes which are a short distance from the former haul routes.

Remedial Action Completions at Big River Mine Tailings Site (Missouri)

A Remedial Action was completed on March 21 at the Big River Mine Tailings Site by the Doe Run Company under the Unilateral Order. The cleanup action consisted of the remediation of 100 residential properties. A second Remedial Action completion is forthcoming next week at the Big River Mine Tailings Site by the Missouri Department of Natural Resources, Division of State Parks. This action consists of remediation of 22 residential properties. Future cleanup work at the site includes the remediation of up to 4,000 properties by the Doe Run Company over the next 12 years under a Consent Decree. MDNR-DSP will also remediate 57 properties under the Consent Decree.

Kickapoo Water Grants

The Kickapoo Tribe in Kansas manages three water-related environmental programs funded through Clean Water Act grants. The tribe is currently understaffed and undertrained to complete the water program's workplan components as currently negotiated. Sufficient funding remains available in the grant to meet the tribe's training and staffing needs to rebuild its capacity to meet baseline program expectations. Region 7 WWPD staff are coordinating internally with Region 7 OTIC and externally with the Kickapoo Tribe's acting environmental director to renegotiate the 106, 319, and wetlands workplans to accurately reflect the tribe's workplan tasks for the 2019 field season.

Upcoming Major Decisions/Events

On April 4, Regional Administrator Jim Gulliford will host the quarterly Interagency Lead Task Force at the Region 7 office with HUD and HHS.

The Region 7 Excellence Employee Recognition Ceremony is scheduled for April 4. Each year we set aside time to recognize all the great work that happens throughout Region 7. The annual recognition ceremony is an important time for our region to pause and acknowledge our individual and collective accomplishments. All employees are invited to attend this event.

Region 8

Hot Topics

City of Pierre, South Dakota ‘Do Not Drink Advisory’

On March 27, the City of Pierre issued a public notice and held a press conference to notify customers about exceedances of EPA’s Health Advisory level for manganese. Levels in Pierre range from 2.0 to 2.5 mg/L; the EPA short-term health advisory (1- to 10-day exposure) for manganese is 1.0 mg/L. Short-term solutions will be for residents to use home treatment systems or bottled water for drinking. Longer-term, Pierre has secured funding to build a treatment plant to address manganese levels. That plant is expected to be operational in approximately 20-24 months.

North Dakota Department of Health has contacted 11 community public water systems with manganese levels above the EPA’s health advisory levels, asking that they inform their consumers.

Their action was prompted by South Dakota’s action and the EPA’s soon to be released data under the Unregulated Contaminant Monitoring Rule. The state is dealing with extensive flooding so at this point we have limited information on their next steps, but we have offered our support and await an update.

Colorado to Withdraw Request that EPA Extend the Denver Metro/North Front Range (DMNFR) Nonattainment Area Attainment Deadline for the 2008 Ozone National Ambient Air Quality Standard (NAAQS)

On March 25, 2019, Colorado notified Region 8 that Governor Polis intends to withdraw a June 4, 2018 request for a one-year extension to the attainment date for the 2008 ozone NAAQS. The EPA proposed granting the DMNFR a one-year extension to the attainment date in a rulemaking published on November 14, 2018, and now must decide how to proceed given the Governor’s intended request. Once received, the Governor’s request will effectively nullify the EPA’s proposed attainment date extension for the DMNFR and compel the EPA to bump the area up to a Serious classification.

Decision Issued in Montana Nutrient Variances Case

On March 25, the federal district court in Montana issued its decision regarding Upper Missouri Waterkeepers challenge to EPA’s 2015/2017 approval of Montana’s general variance. The court upheld EPA’s interpretation of the Clean Water Act to allow for variances to water quality standards, and agreed that such variances could be based on cost when appropriately documented. The court did not uphold EPA’s approval of Montana’s variance due to in part to the term of the variance and concern whether dischargers would ever need to meet the underlying numeric nutrient criteria. The court directed the parties to confer as to a remedy to address the court’s concerns and to submit additional briefing on remedies if the parties cannot come to agreement.

Upcoming Major Decisions/Events

I look forward to hosting Administrator Wheeler in Region 8 on March 28. His visit agenda includes briefings on the Silver Bow Butte and Anaconda Superfund Sites, Region 8’s Risk Communication Workgroup and a tour with Denver Water.

Region 9

Hot Topics:

Mexican Border

RA Mike Stoker attended the CalEPA Border Relations Council meeting in San Diego March 27. This council is the state's forum for aligning cross-border programs, initiatives and projects. On March 28, the Border 2020 Arizona-Sonora Task force is convening to discuss projects and funding. Next week, the new California – Mexico Strategic Dialogue will convene in Imperial Beach (CA), bringing together elected and community leaders to discuss solutions to cross-border pollution in the Tijuana River watershed; Region 9's Doug Liden will represent EPA.

SuperTyphoon Yutu

EPA continues with complex excavations of hazardous debris in the No. Mariana Islands. While FEMA and we hope to complete our ESF10 assignments in late April, we are discussing other critical work which remains, such as asbestos material in public schools, hazardous debris on Rota from a prior typhoon, and a contaminated, abandoned power plant on Tinian.

Upcoming Major Decisions and Events

Coral Reefs

RA Mike Stoker will participate in the Washington DC meeting of the Coral Reef Task Force on April 4. He is also scheduled to meet with various HQ colleagues and Congressman Carbajal, accompanied by Charles Munoz.

Superfund clean-up

RA Mike Stoker will host a community open house on March 28 in Casmalia (CA) to provide updates on the site's upcoming remedial action.

CAA public meetings

On April 2 and 3, we'll convene two public hearings and informational meetings in Arizona on our proposed issuance of a CAA permit to the Cyprus Tohono Corporation, for its plan to resume copper mining activity at an existing site on the Tohono O'odham Nation.

Region 10

Hot Topics

Cooks-In-Lieu Fishing Site Public Water System detects E. coli and total coliform (OR)

Cooks-In-Lieu is a seasonal public system at one of 31 historic fishing sites along the Columbia River, used by tribal members from four Tribes (Warm Springs, Yakama, Umatilla and Nez Perce), and operated by the Columbia River Inter Tribal Fish Commission. This facility has a history of positive measurements for total coliform and E. coli, resulting in past boil water notices. Monthly sample results between September 2018 and February 2019, submitted late on March 9, 2019, showed positive total coliform and E. coli readings in December in certain samples. The samples collected in January, February, and March 2019 also showed positive readings for total coliform. The findings may result in a boil water notice.

Upcoming Major Decisions and Events

Idaho CWA Inspections

EPA contract inspectors will be in the Boise, ID area during the week of April 1, 2019 conducting CWA CAFO compliance evaluation inspections. Region 10 has coordinated extensively with the Idaho Department of Environmental Quality and the Idaho State Department of Agriculture on the inspections and facilities to be inspected. Two IDEQ and ISDA inspectors will shadow the EPA contractors during the inspections to learn more about how CWA CAFO inspections are conducted. Region 10 has also been in coordination with both the Idaho Dairymen's Association and the Idaho Cattle Association to ensure that there will be no issues with facility access during the inspections.

2019 Seafood Processing Wastewater Workshop (OR)

Region 10 staff will participate in the 2019 Seafood Processing Wastewater Workshop April 1-3 in Astoria, Oregon. The workshop is sponsored by Oregon State University, in partnership with the Oregon DEQ and Aqua-Terra Consultants. EPA staff will present on the topics of EPA's seafood process effluent guidelines, water quality-based permitting and EPA's two offshore seafood wastewater permits for discharges in federal waters off the coast of Alaska, and off the coast of Oregon and Washington. The conference will coincide with the public comment periods for Oregon DEQ's Seafood Processing General Permit and EPA's Alaska Offshore Seafood General Permit.

Coeur d'Alene Basin Superfund Site Paved Roads Program to begin (ID)

The Paved Roads Program in the Silver Valley paves road surfaces to serve as a barrier to heavy metals contamination and protects cleaned up properties from recontamination. Since the beginning the program has funded over \$35 million in local paved roads reconstruction projects through 2018. Around 500 road segments have been completed throughout the valley to date. Projects have been combined with water, sewer, and drainage infrastructure. Over \$5 million of paved roads work is planned for 2019 in Kellogg and Shoshone County. The local jurisdictions are responsible for maintaining the remediated road segments going into the future.

Office of Air and Radiation

Hot Topics

Tracking SIP Actions:

Total Number of SIPs submitted to Regions in FY 2019: 138

Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 105

Total Number of Pending SIPs: 775

Packages for Signature:

Stationary Combustion Turbines RTR Proposal

Denial of Petition for Reconsideration of Certain Issues: Performance Specification 18 and Procedures 6

Revision to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs

Packages at (or soon to be at) OMB for Review:

PM2.5 Precursor Demonstration Guidance

Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (Proposed Rule)

Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule)

Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting (Proposed Rule)

2020 Ozone Depleting Substances Phaseout Rule (Proposed Rule) – in OP

Amendments Related to Marine Diesel Engine Emission Standards (Proposed Rule) – in OP

Upcoming Major Decisions and Events

March 29th: Public hearing in Ann Arbor, MI on the proposed modifications to fuel regulations to provide flexibility for **E15 and proposed modifications to RFS RIN market regulations**

April 2nd: Bill is speaking here in DC at the **American Coalition for Ethanol (ACE) Fly-In and Government Affairs Summit**

April 2nd: **The Mobile Sources Technical Review Subcommittee of the Clean Air Act Advisory Committee (CAAAC)** will have their regular meeting in Arlington, VA. The Subcommittee provides EPA with independent advice, counsel and recommendations on the scientific and technical aspects of programs related to mobile source air pollution and motor fuels. More information here: <https://www.epa.gov/caaac/mobile-sources-technical-review-subcommittee-meeting-april-2-2019>

April 3rd-5th: **The Society of Automotive Engineers Government Industry Meeting** will be held April 3-5 here in DC. The meeting unites government policy and regulatory makers with auto industry representatives to discuss the effect of government action and regulations for safety, emission control, and energy conservation on future vehicle design. More information here: <https://www.sae.org/attend/government-industry/>

Office of Chemical Safety and Pollution Prevention

Hot Topics

Reduction in Burden for Chemical Data Reporting (CDR) and Alignment with Amended TSCA

As early as the week of April 1, OCSPP will propose CDR rule amendments to make chemical reporting easier and to support data collection efforts under TSCA. Manufacturers and importers of certain chemical substances in the TSCA Chemical Substance Inventory must report data on chemical manufacturing, processing and use every four years.

Proposed Rule on Confidential Business Information (CBI) is Another TSCA milestone

As early as the week of April 1, OCSPP will propose a rule establishing the plan for EPA's review of manufacturer confidentiality claims and procedures for companies to substantiate those claims. EPA must finalize a plan to review all CBI claims for specific chemical identities for chemicals "active" in U.S. commerce by February 19, 2020. The proposal outlines EPA review of claims, timeframes for review completion, and annual posting of results. It requires claimants to substantiate claims, lays out procedures to do so, establishes an electronic reporting process, and sets the duration of protection for approved claims.

OCSPP to Update Review Process and Pigment Violet 29 (PV29) Draft Risk Evaluation

As early as the week of April 1, OCSPP will release the Agency's updated systematic review process documents for PV29 and will reopen the comment period on the PV29 draft risk evaluation following EPA's release on March 22 of 24 studies. In November, EPA requested public feedback on the evaluation, the first of ten under new TSCA, and as a result determined the additional information should be made public. In addition to the public release of the data, EPA used the updated systemic review process, a new TSCA process that EPA is continuing to refine as it gains experience, to re-evaluate the 24 studies used in this risk evaluation. The proposed no unreasonable risk determination in the draft evaluation published in November is unchanged.

48th ABA Environmental, Energy, and Resources Law Spring Conference Panel – March 28, 2019

Assistant Administrator Alexandra Dapolito Dunn participated on a panel on "*PFAS: Impacting Site Remediation and Litigation for Years to Come?*" She presented on EPA's PFAS Action Plan and OCSPP's PFAS work.

Global Summit on Chemicals Management

On March 26, Dr. Nancy Beck participated in a global business summit in Brussels, focused on chemicals management for the future. Nancy participated along with the Executive Director of the EU Chemicals Agency on a keynote panel discussing EU and US approaches to regulating new chemicals. Nancy also participated on a second panel looking at the future of the Strategic Approach to International Chemicals Management (SAICM) post 2020.

Tribal and Regional Visits

During the week of March 18, Jeff Morris, Director of the Office of Pollution Prevention and Toxics, and staff from OCSPP attended the National Tribal Toxics Council spring meeting at Lower Elwha Klallam Tribe (Washington). OCSPP presented on EPA's implementation of amended TSCA and discussed upcoming OCSPP tribal consultations. Dr. Morris also visited Region 10 offices to meet with regional leadership and staff to discuss issues of mutual interest, including the intersections between regional work and headquarters priorities.

Office of the Chief Financial Officer

Hot Topics

The EPA has received 3 mission assignments from FEMA to support emergency response efforts to the Midwest Floods

Upcoming Major Decisions and Events

EPA's FY 2020 President's Budget appropriations hearings are scheduled for next week. The House Appropriations subcommittee hearing will be held on April 2 and the Senate Appropriations subcommittee hearing is on April 3. The House Energy and Commerce subcommittee hearing is on April 9. OCFO continues to coordinate with OCIR to prepare hearing materials to support AA-level meetings for the Administrator. As follow up to the March 20, 2019 Administrator's Quarterly Performance Review, the CFO provided two decision memos to the ADA/COO with options and recommendations on the next round of FY 2020-2021 Agency Priority Goals and on the Strategic Plan to align with and advance the Administrator's priorities. The memos will be sent to the Administrator once COO review is complete.

The Acting Associate CFO will participate in a "Budget 101" roundtable at the 2019 ECOS Spring Meeting on April 9. The roundtable is geared toward helping new members understand the budget-related processes and issues facing them as state environmental commissioners.

The CFO will give remarks and lead a discussion regarding the EPA's budget to the National Tribal Operations Committee on April 10.

Other

The public comment period on the draft FY 2020-2021 National Program Guidances starts April 1 and ends May 3. During this time, AAs/DAAs and Lead Regions for OW, OAR, OLEM, and OECA will convene individual calls with states/state associations. OCFO, in collaboration with OITA, NPMs and regions, will convene two consultation calls with tribes/tribal representatives.

Office of the Congressional and Intergovernmental Relations

Hot Topics

April 2- Administrator Wheeler is scheduled to testify on EPA's 2020 Budget Proposal before the House Committee on Appropriations. Not yet publicly posted.

April 2 - House Committee on Transportation and Infrastructure will hold a hearing entitled, "Pipeline Safety: Reviewing the Status of Mandates and Examining Additional Safety Needs."

April 2 - House Energy and Commerce Committee is scheduled to hold a hearing entitled "Lessons from Across the Nation: State and Local Action to Combat Climate Change."

April 3 - Administrator Wheeler is scheduled to testify on EPA's 2020 Budget Proposal before the Senate Committee on Appropriations. Not yet publicly posted.

April 9 - Administrator Wheeler is scheduled to testify on EPA's 2020 Budget Proposal before the House Energy and Commerce Not yet publicly posted.

Upcoming Major Decisions/Events

March 29 – 30 - IMLA, the Association of Local Government Attorneys, will convene. The seminar attracts some 350 local government attorneys from around the country. The Association invited EPA's Office of Water to join a panel to discuss and provide updates on the new WOTUS Rule/Options, on either Friday or Saturday.

April 1 - District General Manager Paul Jones, and other representatives will meet with Jeff Lape, Deputy Director, Office of Science and Technology (OW), OIR, and Region IX, to discuss the EPA's Water Reuse Action Plan

April 1 - Representatives from Valley Water (aka Santa Clara Valley Water District) will meet with EPA to discuss the Agency's Water Reuse Action Plan

April 1 - The LGAC Water Workgroup will meet and continue to work on their Waters of the U.S. (WOTUS) Charge.

April 1 – Call w/ New Hampshire delegation on PFAS w/ R1, OW

April 1 – House T&I majority staff briefing on water quality trading w/OW

April 1 - Superfund Task Force/Administrator's Emphasis List rollout

April 2 – House Ag staff briefing on ESA Interagency Task Force w/OCSPP

April 2 (tent)- House Science, Space and Technology Committee briefing – ORD Budget Briefing @ EPA

April 2 - Jay Lewitt, President, Board of Directors, and a team of District officials will meet with EPA to discuss the District's water recycling projects, and WIFIA. Region IX will join OW and OIR for the meeting

April 3 - Sherwood, Oregon Mayor Keith Mays, and the City's IT Director, Brad Crawford, will meet with EPA to discuss potential Brownfields Program support.

April 4 – House T&I staff briefing re FY20 budget w/OW and OLEM

April 5 – Miami WIFIA announcement event with Administrator Wheeler, Mayor, and other stakeholders w/OW, R4

April 9 - Innovative Community Anaerobic Digestion Projects Grants for Recycling Food Waste Rollout (OLEM)

Office of Enforcement and Compliance Assurance

Hot Topics:

Defendants Sentenced for Fraud Scheme Involving Minnesota-Based Environmental Company's Improper Disposal of Toxic Chemicals

On March 5 and 22, 2019, the owner and an employee of Luminaire Environmental and Technologies, Inc. were sentenced in the District of Minnesota. John Miller was sentenced to serve 36 months in prison and to pay a \$15,000 fine and \$1,049,848 in restitution. Joseph Miller was sentenced to serve two years of probation and pay a \$3,000 fine. Luminaire was sentenced to serve five years of probation with special conditions, including an Environmental Compliance Plan and a \$10,000 fine. Luminaire provided recycling and waste disposal services to customers. Among other services, Luminaire offered to pick up customers' fluorescent light ballasts containing polychlorinated biphenyls (PCBs) and remove and dispose of all the PCBs in accordance with the Toxic Substances Control Act. Instead, after picking up loads of PCB-ballasts from customers, John Miller instructed Luminaire employees to remove warning labels from the containers, and then sell the PCB-ballasts as scrap metal to scrap yards and metal recycling facilities. To conceal the fact that the PCB-ballasts had not been received and processed at Luminaire's facility, John Miller directed Luminaire employees, including Joseph Miller, to falsely certify on shipping manifests that the PCB-ballasts had arrived at Luminaire's facility. Luminaire employees also sent copies of the falsified shipping documentation by mail to customers and to certain state environmental agencies. Because of the scheme, Luminaire fraudulently collected more than \$1,000,000 in fees and additional profits.

Colorado Man Pleads Guilty to \$7.2 Million Biodiesel Tax Credit Fraud Scheme

On March 22, 2019, Matthew Taylor pled guilty in the District of Colorado to conspiracy, conspiracy to commit money laundering, and money laundering. Taylor and co-conspirators worked together to defraud the United States by filing false claims for tax credits under a federal program that encourages the production and use of renewable fuels. In 2009, Taylor created a fake company, Shintan Inc., that purported to be in the business of creating renewable fuels. From 2010 to 2013, Taylor and co-conspirators filed claims with the Internal Revenue Service for over \$7.2 million in tax credits for renewable fuel produced. In reality, Shintan produced no qualifying renewable fuel, and the documents filed with the IRS were fraudulent. Taylor personally netted at least \$4.5 million from the scheme, with the additional \$2.7 million going to co-conspirators. To avoid detection, Taylor and co-conspirators transferred the fraudulently obtained funds through bank accounts belonging to Shintan and other shell companies. On August 8, 2018, co-conspirator Calvin Glover pleaded guilty to conspiracy to impair and impede the IRS. Sentencing is scheduled for December 6, 2019. The trial for co-conspirator Martin Fields is currently set for August 19, 2019.

Upcoming Major Decisions and Events

On Wednesday, April 3, 2019, OECA will host its 2018 Honor Awards Ceremony to recognize the outstanding contributions of OECA employees to the agency's mission.

Office of General Counsel

Hot Topics

***Upper Missouri Riverkeeper v. EPA*, No. 16-00052 (D. Mont. Mar. 25, 2019)**

New Decision: The court upheld EPA's authority to approve water quality standard variances based on costs. It also held that EPA's approval of Montana's nutrient variance was arbitrary and capricious because the court interpreted EPA's regulations to require the variance to reflect what could be met now and the variance provided seventeen years to meet the less stringent nutrient standard. It concluded that defendants "must set forth a timeline that leads to compliance" with the state's ultimate numeric nutrient criteria and directed counsel for all parties to confer.

***Blue Water Baltimore, Inc. v. Wheeler*, No. 17-01253 (D. Md. Mar. 22, 2019).**

New Decision: The court vacated and remanded to EPA the Agency's denial of a petition asking EPA to exercise its residual designation authority to require NPDES permits for unregulated stormwater discharges in a Baltimore-area watershed. It held that EPA's denial was arbitrary and capricious because EPA considered a factor divorced from the statutory text.

***National Resources Defense Council, Inc. v. Wheeler*, No. 18-613 (S.D.N.Y. Mar. 21, 2019)**

New Decision: The court upheld EPA's October 31, 2017 federal advisory committee directive, particularly the policy that "no member of an EPA federal advisory committee be currently in receipt of EPA grants." The court held that NRDC did not have standing to bring the suit.

***Natural Resources Defense Council v. EPA*, No. 19-02516 (S.D.N.Y. filed Mar. 21, 2019).**

New Litigation: Environmental group plaintiffs allege that EPA failed to perform a nondiscretionary duty by failing to issue "worst-case spill regulations" under CWA §511(j)(5)(A)(i). Plaintiffs seek an order compelling the rulemaking, attorneys' fees and costs.

New NOI

By letter dated March 22, 2019, the University of California, Berkeley Environmental Law Clinic, on behalf of environmental groups and individuals (collectively, "Plaintiffs") provided EPA with a 60-day notice of intent to sue (NOI) under the CWA for failure to update the National Oil and Hazardous Substances Contingency Plan (NCP). Plaintiffs allege that EPA has failed to perform a nondiscretionary duty under CWA §311(d)(3) by failing to update the NCP to address dispersant use.

Upcoming Major Decisions and Events

Oral Argument April 1

California Communities Against Toxics v. EPA, No. 18-1085 (D.C. Cir.). Challenge to January 2018 guidance memo rescinding 1995 "once in, always in" memo under which major sources under CAA §112 toxics program could only take an enforceable limit on their emissions to fall below the major-source threshold prior to the compliance date of §112 standards. Under the new policy, sources can take such a limit at any time. Challengers argue that the 2018 memo is a rule that should have undergone notice and comment, that it is inconsistent with the statute, and that it is arbitrary and capricious.

Office of International and Tribal Affairs

Hot Topics

GAP Guidance Evaluation

OITA is evaluating opportunities to improve the 2013 Indian General Assistance Program (GAP) Guidance and its implementation. During the first tribal consultation period, we received over 800 comments from tribes, intertribal consortia, and tribal partnership groups. OITA recently completed the *GAP Tribal Comment Summary*, a comprehensive summary of tribal comments which is now available to the public on the [GAP website](#).

WWF No Plastics in Nature Initiative

OITA AA Chad and OW met with the World Wildlife Fund to discuss their No Plastics in Nature by 2030 initiative. WWF is working with industry, NGO's, financial investment firms and charitable foundations to address the plastic problem by focusing on the entire materials system. OITA is exploring opportunities for EPA to collaborate with WWF to address land-based sources of marine litter.

ACC Alliance to End Plastic Waste

OITA AA Chad McIntosh, OW and OLEM met with American Chemistry Council to discuss the Alliance to End Plastic Waste, a private sector initiative to address plastic waste. The Alliance has assembled companies across the entire plastics value chain — chemical and plastic manufacturers, consumer goods companies, retailers, converters, and waste management companies. OITA is exploring ways in which EPA could collaborate with the Alliance, including participation at the G7 meeting.

NSC Pacific Islands Working Group

OITA participated in the NSC Working Group on Pacific Island Coordination. The NSC is putting a renewed focus on collaboration with the Pacific Islands and will be participating in the Pacific Island Forum in August. OITA presented Region 9's Pacific Island Office work on drinking water, solid waste, inspector training, pesticides training, and fuel spill prevention to the American territories and Freely Associated States (FAS) in the Pacific. The NSC and State are interested in including EPA's work in the USG remarks at the Forum.

Upcoming Major Decisions/Events:

March 27-28 - OITA, OAR, and State Department will attend the second preparatory meeting for the G7 Environment Ministerial in France.

April 4-5 - OITA will meet with the Asian Development Bank to explore support for work on marine litter in the Pacific Islands.

April 1-5 - OITA will meet with USAID regional office in Thailand to explore support for work on marine litter in SE Asia.

Office of the Land and Emergency Management

Hot Topics

Coal Combustion Residuals (CCR)

We anticipate the CCR Phase 2 proposed rule package to go from OP to OMB this week for an expedited (45-day) EO 12866 review.

Clean Air Act 112(r) Risk Management Program (RMP).

Ongoing major Superfund NPL sites

We are working with Region 2 on the Hudson River, Region 4 on Oak Ridge, Region 9 on Edwards Air Force Base, and Region 10 on Portland Harbor.

CERCLA 108(b) Financial Assurance (next three sectors).

PFAS.

PFOA and PFOS contaminated groundwater guidance.

Working on inclusion as “hazardous substances” under CERCLA.

e-Manifest

We plan to soon announce selections to fill current vacancies on the e-Manifest Advisory Board.

Intercontinental Terminals Company (ITC) Fire in Deer Park, TX

The Airborne Spectral Photometric Collection Technology (ASPECT) plane has been conducting flights over the area, providing imagery and data collection of possible compounds being released. In addition, the Trace Atmospheric Gas Analyzer (TAGA) mobile laboratory has been performing air monitoring.

Upcoming Major Decisions and Events

Ignitability Proposed Rule

The rule package was signed by the Administrator and we anticipate FR publication soon.

EPCRA Reporting Requirements Interpretation relating to Air Releases of Hazardous Substances from Animal Waste at Farms NPRM

The public comment period ended on December 14. We received over 11,000 comments.

Planning for Natural Disaster Debris Guidance

The final guidance is with OMB for interagency review. We anticipate OMB review to conclude soon.

Spring NPL update

We anticipate the rule packages being signed in April.

Upcoming Judicial Deadline regarding Oil and Gas Wastes

We are working with OGC and others to meet the April 23rd deadline.

Office of Mission Support

Hot Topic

Launch of Contracting Officer Representative Lab

On March 26, 2019, the Office of Acquisition Solutions launched the COR Lab to de-mystify the contracting processes, improve the quality of procurement request packages, and speed up the acquisition process. Topics include clarification of acquisition policy, invoice reviews, purchase card use, and preparation of procurement packages and supporting documents. Over 30 CORs attended this inaugural session, representing ten program offices, the next one is in May 2019. OAS plans to increase the frequency of these sessions from quarterly to bi-monthly beginning in July and has launched a robust communications strategy to its customers about them. Questions and answers discussed during these sessions will be posted on the OAS SharePoint site.

EPA Participates in U.S. Department of Homeland Security Asset Management Gap Fill Kickoff

EPA participated in the DHS Continuous Diagnostics and Mitigation asset management gap-fill project kickoff. EPA's participation will result in more comprehensive and accurate security assessments of network endpoints, the promotion of remediation workflow for known asset vulnerabilities, and improved Federal Information Security Modernization Act reporting.

EPA Submits FY 2018 Annual FISMA Report to Congress and the U.S. Government Accountability Office

EPA submitted its FY 2018 Annual FISMA report to Congress and the GAO. The report includes an assessment of the adequacy and effectiveness of the agency's information security policies, procedures, and practices. It also provides the total number of information security incidents reported to the National Cybersecurity and Communications Integration Center to include a description of each major incident.

Talent Enterprise Diagnostic (TED) Tool Updates

Updates to TED will be completed by March 31st. The updates support the agency's efforts to: 1) develop policies and programs that are based on comprehensive workforce planning and analysis; and 2) meet the requirements under 5 CFR 250, such as monitoring and addressing governmentwide and agency-specific skill gaps in mission-critical occupations.

Upcoming Events & Decisions

Presidential Rank Awards

Submissions received from across the agency underwent Executive Resources Board review the of week of March 20, 2019. OHR staff is preparing the agency's submission package for the Administrator's review and approval. Submissions are due to OPM by March 29th.

Office of Policy

Hot Topic

Smart Sectors Announcement

On April 4, EPA will announce the release of new Sector Snapshots profiling the environmental and economic performance of the Automotive and Oil and Gas industries at the Washington Auto Show in Washington, D.C.

Community Revitalization Assistance

During the week of April 1, the Office of Community Revitalization expects to join the U.S. Forest Service and the Northern Border Regional Commission to announce new planning assistance to help communities revitalize the local economy through outdoor recreation.

Active Interagency Reviews from OMB	
Subject	OMB Due Date
USDA/FS NPRM (Pass-back): National Environmental Policy Act Compliance	03/29/2019
OPM FRM: Compensatory Time Off for Religious Observances and Other Miscellaneous Changes	03/29/2019
USDA/APHIS FRM (Pass-back): Plant Pest Regulations; Update of Provisions, aka Part 330	04/01/2019
Commerce/NOAA FRM: Commerce Trusted Trader Program	04/04/2019
DOT/PHMSA FRM: Pipeline Safety: Safety of Hazardous Liquid Pipelines	04/11/2019
Treasury & IRS Notice (Pass-back): Request for Comments on Credit for Carbon Oxide Sequestration	N/A
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers	N/A
CEQ Instructions (Pass-back): Implementing Instructions for Executive Order 13834: Efficient Federal Operations	N/A

Documents Submitted to OFR from March 21 - 27, 2019		
FRL	Title	Date Submitted to OFR
9991-24-ORD	Human Studies Review Board; Notification of Public Meetings	3/27/2019
9991-50-Region 2	40 CFR part 52 - Approval and Promulgation of Implementation Plans: New York Ozone Section 185	3/27/2019
9991-52-OMS	Good Neighbor Environmental Board	3/27/2019
9990-96-ORD	Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Equivalent Method	3/26/2019
9991-08-OARM	40 CFR parts 1516 and 1552 - Environmental Protection Agency Acquisition Regulation (EPAAR); Award Term Incentive	3/26/2019
9991-22-OA	Meetings of the Local Government Advisory Committee and the Small Communities Advisory Subcommittee	3/26/2019

9991-26-ORD	Human Studies Review Board Advisory Committee; Request for Nominations to the Human Studies Review Board (HSRB) Advisory Committee	3/26/2019
9991-44-Region 3	40 CFR parts 52 and 81 - Air Plan Approval; District of Columbia, Maryland, and Virginia; Maryland and Virginia Redesignation Requests and District of Columbia, Maryland, and Virginia Maintenance Plan for the Washington, DC-MD-VA 2008 Ozone Standard Nonattainment Area	3/26/2019
9991-46-Region 4	40 CFR part 52 - Air Plan Approval; KY; Jefferson County Existing and New VOC Water Separators Rule Revision	3/26/2019
9991-47-Region 4	40 CFR part 52 - Air Plan Approval; Alabama: PSD Replacement Units	3/26/2019
9991-48-Region 4	40 CFR part 52 - Air Plan Approval; TN; Updates to the National Ambient Air Quality Standards for Chattanooga	3/26/2019
9989-91-OEI	NESHAP for the Surface Coating of Large Household and Commercial Appliances (Renewal)/ICR 1954.07	3/25/2019
9990-27-OEI	Standardized Permit for RCRA Hazardous Waste Management Facilities (Renewal)/ICR 1935.06	3/25/2019
9990-54-OEI	NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (Renewal)/ICR 2029.08	3/25/2019
9990-95-OEI	EPA Strategic Plan Information on Source Water Protection (Renewal)/ICR 1816.07	3/25/2019
9991-23-OEI	NESHAP for Aluminum, Copper and Other Non-ferrous Metals Foundries (Renewal)/ICR 2332.05	3/25/2019
9991-25-Region 8	Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Revisions to Air Pollution Control Rules	3/25/2019
9991-34-Region 1	40 CFR part 52 - Air Plan Approval; Connecticut; Motor Vehicle Inspection and Maintenance Program Certification	3/25/2019
9991-35-Region 1	40 CFR part 52 - Air Plan Approval; Massachusetts; Regional Haze Five-Year Progress Report State Implementation Plan	3/25/2019
9991-45-Region 4	40 CFR part 52 - Air Plan Approval; North Carolina; Revision to Permit Term for Non-Title V Air Quality Permits	3/25/2019
9986-27-OCSP	Pesticides; Draft Guidance for Pesticide Registrants on Plant Regulator Label Claims, Including Plant Biostimulants; Notice of Availability	3/22/2019

9989-65-OCSP	40 CFR 180 - Sulfometuron-methyl; Pesticide Tolerance [in or on sugarcane]	3/22/2019
9990-53-Region 6	Air Plan Approval; Oklahoma; Regional Haze Five-Year Progress Report	3/22/2019
9990-62-Region 6	Air Plan Approval; Arkansas; Regional Haze Five-Year Progress Report State Implementation Plan	3/22/2019
9991-40-Region 4	40 CFR part 52 - Air Plan Approval; Kentucky; Minor Sources Infrastructure Requirement for the 2012 Fine Particulate Matter, 2010 Nitrogen Dioxide, and 2010 Sulfur Dioxide NAAQS	3/22/2019
9991-43-OLEM	40 CFR parts 260 and 261 - Modernizing Ignitable Liquids Determinations	3/22/2019
9991-43-OLEM	Foreign Purchaser Acknowledgement Statement of Unregistered Pesticides/ICR 0161.14)	3/21/2019
9987-28-OMS	NSPS for Stationary Compression Ignition Internal Combustion Engines (Renewal)/ICR 2196.06	3/21/2019
9990-03-OEI	NESHAP for Hydrochloric Acid Production (Renewal)/ICR 2032.10	3/21/2019
9990-21-OEI	NSPS for New Residential Hydronic Heaters and Forced-Air Furnaces (Renewal)/EPA ICR No.2442.03	3/21/2019
9991-01-OEI	NESHAP for Polyvinyl Chloride and Copolymer Production Area Sources (Renewal)/ICR 2454.03	3/21/2019
9991-02-OEI	NSPS for Nitric Acid Plants for which Construction, Reconstruction or Modification Commenced after October 14, 2011 (Renewal)/ICR 2445.04	3/21/2019
9991-09-OEI	NESHAP for Semiconductor Manufacturing (Renewal)/ICR 2042.07	3/21/2019
9991-18-OEI	40 CFR Part 52 - Air Plan Approval; Arizona; Regional Haze Progress Report	3/21/2019
9991-30-Region 9	New Risk Assessment and Emergency Response Plan Requirements for Community Water Systems	3/21/2019
9991-37-OW	Notice of open meeting of the Environmental Financial Advisory Board	3/21/2019
9991-38-OW	40 CFR Part 52 - Air Plan Approval; Michigan; Permit to Install Public Hearing Provisions	3/21/2019

Office of Research and Development

Hot Topic

ORD very much appreciated your visit to Cincinnati on Monday. On April 2, ORD will brief congressional staff on our budget. On April 4, Jennifer Orme-Zavaleta will meet with NAS' Board on Environmental Studies and Toxicology (BEST) and brief them on ORDs current priorities and on-going initiatives.

Lead (Pb) Analyses and GIS mapping for Regions 5 and 7

On April 3, ORD and Region 5 will give a presentation to Ohio EPA about an innovative method for developing maps that help identify high lead (Pb) exposure locations using available data. This method is a draft work-in-progress and NERL and Region 5 are seeking feedback from Ohio EPA on the approach. ORD's involvement in this project is a response to a technical assistance request from Region 5. The work supports Region 5's efforts to engage with states through its Environmental Justice Pb working group, whose aim is to foster the collection of additional data from state partnerships and help identify Pb focus communities. ORD is also supporting Region 7 with technical assistance on lead.

Upcoming Major Decisions and Events

CASAC Teleconference

On March 28th, ORD will participate in the public teleconference of the Clean Air Scientific Advisory Committee (CASAC), where they will discuss the Draft CASAC Letter on the External Review Draft of the Integrated Science Assessment for Particulate Matter.

IRIS Program Outlook

On April 2nd, ORD will post an IRIS Program Outlook that will provide updated schedules (by fiscal year quarter) for assessments in development.

Methylmercury IAP

On April 2nd, the Federal Register notice announcing a May 15, 2019 public science meeting for the methylmercury IAP is expected to publish. The IAP will be available for public comment for 30 days.

Sustainable and Healthy Communities (SHC) Research Program Board of Scientific Counselors (BOSC)

April 2 and 3rd, ORD will present an overview of SHC's Strategic Research Action Plan, provide technical presentations on a range of research topics, and hear partner perspectives from OLEM and the Regions.

Research Triangle Park to Host International Scientists

On April 3, 2019, the U.S. State Department International Visitor Leadership Program is bringing 20-25 international scientists from 20 countries to RTP to learn about "One Health" research, which recognizes that the health of people is connected to the health of animals and the environment. The CDC says that 'a One Health approach is important because 6 out of every 10 infectious diseases in humans are spread from animals.' The visiting scientists will spend the morning at the National Institute of Environmental Health Sciences on the RTP campus, meeting with their Director, Linda Birnbaum, and scientists; and then will travel over to EPA for lunch and afternoon sessions. Jennifer Orme-Zavaleta will provide opening remarks.

Office of Water

Hot Topic

WIFIA Round 3 Notice of Funding Availability (NOFA)

This Friday, the Administrator is expected to announce his signature on the Federal Register Notice (FRN), NOFA for Applications for Credit Assistance at an event in Denver, Colorado. This will provide an estimated \$6 billion in Water Infrastructure Finance and Innovation Act (WIFIA) loans in 2019. OW seeks to publish the FRN no later than April 8, 2019.

Announcement of Allocations for WIIN §2104 and §2107

As early as next week, the EPA will announce the second new grant program under the Water Infrastructure Improvements for the Nation Act (WIIN Act) - *Assistance for Small and Disadvantaged Communities*, as well as the associated state and tribal allocations. This new grant will support small and disadvantaged communities by providing \$43.7 million in funding to assist with addressing unregulated contaminants and compliance under the Safe Drinking Water Act. The EPA will also provide the state and tribal allocations for previously announced school lead testing grant.

Preliminary Effluent Limitation Guidelines (ELG) Program Plan 14

As early as next week, the Office of Water anticipates moving forward to OP for OMB review the Preliminary ELG Program Plan 14. This plan discusses the ongoing rulemaking for Steam Electric Power Generating Point Source Category and provides updates on ongoing point source category reviews or studies for the Petroleum Refining Category, the Electrical and Electronic Components Category and Oil and Gas Extraction Wastewater Management. Clean Water Act section 304(m) requires the EPA to biennially publish a plan that establishes a schedule for annual review and revision of existing ELGs and identifies any new industrial categories selected for rulemaking. The last Final ELG Program plan was published on May 2, 2018.

Oregon Aluminum Proposed Rule

As early as next week, the Office of Water anticipates moving forward the Oregon Aluminum Proposed Rule to the Administrator for signature. The EPA is under a consent decree to propose aluminum water quality criteria that protect aquatic life in freshwaters of Oregon or to approve Oregon-adopted criteria for aluminum in freshwaters by April 19. Administrator signature is requested by April 12.

Upcoming Major Decisions/Events

Waters of the U.S. (WOTUS) State and Tribal Outreach Meeting

Next week, OW's Deputy Assistant Administrator Lee Forsgren, Region 10, and the Army will host the fourth discussion with state officials and tribal representatives in Seattle, WA, to listen to feedback on the proposed rule. Closed press.

Water Infrastructure Forum

Next week, the Assistant Administrator for the Office of Water David Ross will attend an infrastructure forum co-sponsored by the Western States Water Council, the Interstate Council on Water Policy, the National Water Resources Association, and the National Water Supply Alliance. Closed press.

Texas Water Conservation Association

Next week, Deputy Assistant Administrator Anna Wildeman will attend the Texas Water Day event as a part of the speaker series. Closed press.

NACWA, WEF, WRF, WaterReuse National Water Policy Fly-In

Next week, Mr. Ross and Ms. Wildeman will attend the WaterReuse National Water Policy fly-in. Mr. Ross' Plenary (closed press) will include discussion of OW priorities, and Ms. Wildeman will take part in a federal agency roundtable (open press) with representatives from DOI, Corps, NOAA, USDA and DOE.